REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated or obvious under the provisions of 35 U.S.C. § 102 and § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 1-3, 6-8 AND 11-12 UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1-3, 6-8 and 11-12 in the Office Action under 35 U.S.C. § 102 as being anticipated by Brendel (US Patent 6,772,333, issued August 3, 2004, hereinafter referred to as "Brendel"). In response, the Applicants have amended independent claims 1 and 11 and respectfully traverse the rejection.

Brendel teaches an atomic operation that assigns both un-encrypted clear-text requests and encrypted requests from a client to the same server at the server farm. (See Brendel, Abstract.) The SSL session ID is extracted from the incoming request data and compared to the SSL session IDs stored in a table. (See Brendel, Col. 9, Lines 63-65.) If a matching SSL session ID is found the incoming connection is directed to the assigned server so that encrypted sessions are directed to the same server. (See Brendel, Col. 9, Lines 65 – Col. 10, Lines 4.)

The Examiner's attention is directed to the fact that Brendel fails to teach or to suggest the novel concept of extracting information from a packet to identify a cache server in the content distribution network that has state information, as positively claimed by the Applicants. Specifically, Applicants' independent claims 1 and 11 recite:

> 1. A method of operating a content distribution network switch in a content distribution network comprising the steps of:
>
> receiving a packet from a client associated with a secure communication connection;
>
> extracting information from the packet to identify a cache server in the content distribution network that maintains state information on the secure communication connection, wherein the information extracted from the packet comprises a session identifier used to compute a label identifying the cache server; and
>
> directing the packet towards the identified cache server.
>
> (Emphasis added.)

11. A method of operating a cache server in a content distribution network comprising the steps of:

selecting a session identifier that may be utilized by a content distribution network switch to direct packets associated with a secure communication connection to the cache server;

negotiating a secure communication connection with a client; and

maintaining state information for said secure communication connection by said cache server. (Emphasis added).

The Applicants' invention teaches a cache server that stores state information from prior sessions, thereby allowing a server to determine if the previous session has not expired in conjunction with matching session identifications. (See Applicants' Specification, Paragraph 0014.) Storing the state information reduces the need for the consuming task of exchanging a new master key using the relatively slow public-key algorithm. Thus, Applicants' invention discloses the concept of using cache servers capable of storing state information **in conjunction** with matching session identifications.

In contrast, Brendel only teaches a method that matches incoming connections with a table and if a matching session identification is found, then directing the incoming session to the same server. (See Brendel, Col. 9, Lines 63 – Col. 10, Lines 4.) The Examiner's attention is directed to the fact that Brendel completely fails to teach, show or suggest a cache server that stores state information. In other words, Brendel completely fails to teach or suggest the concept of using cache servers capable of storing state information **in conjunction** with matching session identifications. As such, the Applicants respectfully submit that Brendel does not anticipate Applicants' independent claims 1 and 11.

The Examiner in paragraph 32 of the Final Office Action appears to indicate that Applicants fail to recite a cache server capable of storing state information in conjunction with matching session identifications in Applicants' independent claims. Responsive to the Examiner, Applicants have amended claims 1 and 11 to recite a cache server capable of maintaining **state information** in conjunction with matching session identifier. (See underlined language in both independent claims as shown above.)

Furthermore, responsive to the Examiner's statement in the Final Office Action, Applicants state again that Brendel does not teach or suggest a cache server at all. In all the passages from Brendel, cited by the Examiner, such as col. 5, lines 14-21; col. 9, line 63 – col. 10, line 4; and col. 2, lines 29-39, there is no teaching or suggestion of a cache server. In fact, there is no mention of caching or a cache server in the entire specification of Brendel.

In the Advisory Action, the Examiner alleged that Brendel teaches the use of the SSL session Identifier. However, the SSL session Identifier is only an identifier for a particular SSL session and it is not **state information** pertaining to a previous session. In other words, knowing the ID of a session does not mean that the method knows the **state** of that session.

Therefore, Applicants respectfully submit that independent claims 1 and 11 are clearly patentable and not anticipated by Brendel. Furthermore, dependent claims 3, 6-8 and 12 depend, either directly or indirectly, from claims 1 and 11, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 3, 6-8 and 12 are also patentable and not anticipated by Brendel. As such, the Applicants respectfully request the rejection be withdrawn.

II. REJECTION OF CLAIMS 4-5, 9-10 AND 13-16 UNDER 35 U.S.C. § 103

A. Claims 4-5 and 13-14

The Examiner has rejected claims 4-5 and 13-14 in the Office Action under 35 U.S.C. § 103 as being obvious over Brendel. Applicants respectfully traverse the rejection.

The teachings of Brendel have been discussed above. The Examiner's attention is directed to the fact that Brendel fails to teach or to suggest the novel concept of using cache servers capable of storing state information **in conjunction** with matching session identifications, as positively claimed by the Applicants in independent claims 1 and 11. (See *supra*.) The Applicants' invention teaches a cache server that stores state information from prior sessions, thereby allowing a server to determine if the previous session has not expired in conjunction with matching session identifications. (See Applicants' Specification, Paragraph 0014.) In contrast, Brendel only teaches a

method that matches incoming connections with a table and if a matching session identification is found, then directing the incoming session to the same server. (See Brendel, Col. 9, Lines 63 – Col. 10, Lines 4.) The Examiner's attention is directed to the fact that Brendel fails to teach, show or suggest the concept of using cache servers capable of storing state information **in conjunction** with matching session identifications. As such, the Applicants respectfully submit that Applicants' independent claims 1 and 11 are not made obvious in view of Brendel.

Furthermore, it should be noted that the Examiner's taking of Official Notice is specifically challenged. Applicants respectfully request the Examiner to provide specific support for the positions taken by the Examiner.

In the Advisory Action, the Examiner alleged that Applicants have failed to challenge the Examiner's Office Notices. Applicants respectfully disagree. Applicants have previously challenged and continue to challenge the Examiner's taking of Official Notice. Applicants again respectfully request the Examiner to provide specific support for the positions taken by the Examiner. This specific request is clear and convincing evidence that Applicants are challenging the Examiner's taking of Official Notice.

Dependent claims 4-5 and 13-14 depend, either directly or indirectly, from claims 1 and 11, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 4-5 and 13-14 are also not made obvious by the teachings of Brendel. As such, the Applicants respectfully request the rejection be withdrawn.

B. Claims 9-10 and 15-16

The Examiner has rejected claims 9-10 and 15-16 in the Office Action under 35 U.S.C. § 103 as being obvious over Brendel in view of Oki et al. (US Patent 6,735,206, issued May 11, 2004, hereinafter referred to as "Oki"). Applicants respectfully traverse the rejection.

The teachings of Brendel have been discussed above. Oki teaches a method and apparatus for performing a fast service lookup in cluster networking. The servers in the cluster network are maintained in a primary /master relationship. (See Oki, Col 7,

Lines 63-65.) The primary/master PDT servers act as a back up to the secondary PDT server. (See Oki, Col. 8, Lines 2-3.)

However, Oki fails to bridge the substantial gap left by Brendel. Specifically, Oki also fails to teach or suggest the novel concept of using cache servers capable of storing state information, as positively claimed by the Applicants in independent claims 1 and 15. (See *supra*.) Specifically, Applicants' independent claim 15 recites:

> 15. A method of operating a cache server in a content distribution network comprising the steps of:
> negotiating a secure communication connection with a client;
> creating state information necessary for reuse of the secure communication connection with the client; and
> sharing the state information with other cache servers in the content distribution network to which client requests may be redirected. (Emphasis Added.)

Brendel simply does not teach or suggest the novel concept of using cache servers capable of storing state information. Rather, Brendel only teaches a method that matches incoming connections with a table and if a matching session identification is found, then directing the incoming session to the same server. (See Brendel, Col. 9, Lines 63 – Col. 10, Lines 4.) This deficiency is not bridged by the teaching of Oki because Oki only teaches the ability to back up information on a network cluster. (See Oki, Col 7, Lines 63-65; Col. 8, Lines 2-3.) The Examiner's attention is directed to the fact that Oki fails to teach, suggest or provide motivation for using cache servers capable of storing state information.

Arguendo, even if Brendel and Oki were combined, the combination would still not teach or suggest Applicants' invention. The combination of Brendel and Oki would only teach a method of matching incoming connections with a table and if a matching session identification is found, then directing the incoming session to the same server; with the ability to back up information on a network cluster. Therefore, the combination of Brendel and Oki does not teach or suggest Applicants' invention as recited in independent claims 1 and 15.

Dependent claims 9-10 and 16 depend, either directly or indirectly, from claims 1 and 15, respectively, and recite additional limitations. As such, and for the exact same reason set forth above, the Applicants submit that claims 9-10 and 16 are also not made

obvious by the teachings of Brendel and Oki. As such, the Applicants respectfully request the rejection be withdrawn.

CONCLUSION

Thus, the Applicants submit that all of these claims now fully satisfy the requirement of 35 U.S.C. §§ 102 and 103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly requested.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the present final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, NJ 07702-4158

Kin-Wah Tong, Attorney
Reg. No. 39,400
(732) 530-9404